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Report of the International Criminal Court

Report of the International Criminal Court

Note by the Secretary-General

The report of the International Criminal Court on its activities for 2009/10 is submitted herewith to the General Assembly in accordance with article 6 of the Relationship Agreement between the United Nations and the International Criminal Court and paragraph 17 of General Assembly resolution 64/9.

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Report of the International Criminal Court to the United Nations for 2009/10

Summary

The present report, covering the period 1 August 2009 to 31 July 2010, is the sixth annual report of the International Criminal Court submitted to the United Nations. It covers the main developments in the activities of the Court and other developments of relevance to the relationship between the Court and the United Nations.

During the reporting period, the Secretary-General of the United Nations, in his capacity as depositary of the Rome Statute of the International Criminal Court, convened the Review Conference of the Rome Statute from 31 May to 11 June 2010 in Kampala. At the Review Conference, States parties reviewed and amended the Rome Statute, conducted a stocktaking of international criminal justice and made significant pledges on a wide range of issues.

The Court is seized of five situations. The situations in Uganda, the Democratic Republic of the Congo and the Central African Republic were each previously referred to the Court by those States, themselves Parties to the Rome Statute. The situation in Darfur, the Sudan was referred by the United Nations Security Council. In each case, the Prosecutor decided that there was a reasonable basis to open investigations. During the reporting period, Pre-Trial Chamber II authorized the Prosecutor to initiate an investigation into the situation in Kenya in relation to crimes against humanity committed between 1 June 2005 and 26 November 2009. Further, the Office of the Prosecutor is conducting preliminary examinations in various situations, including in Afghanistan, Colombia, Côte d'Ivoire, Georgia, Guinea and Palestine.

In respect of the situation in Uganda, there is one ongoing case, *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen*, which is at the pretrial stage. The four warrants of arrest have been outstanding since July 2005. On 16 September 2009, the Appeals Chamber upheld the decision rendered by Pre-Trial Chamber II on 10 March 2009, which had ruled that the case against the four accused was admissible before the Court.

In respect of the situation in the Democratic Republic of the Congo, there are three ongoing cases, one at the pretrial stage and two at the trial stage. In *The Prosecutor v. Bosco Ntaganda*, the arrest warrant issued by Pre-Trial Chamber I under seal on 22 August 2006 and unsealed on 28 April 2008 remains outstanding.

In *The Prosecutor v. Thomas Lubanga Dyilo* the Court has heard the prosecution case and the defence started the presentation of its evidence on 7 January 2010. On 8 July 2010, however, Trial Chamber I ordered a stay in the proceedings. The prosecution appealed the decision, which is now pending before the Appeals Chamber.

The trial in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* started on 24 November 2009 before Trial Chamber II with the presentation of prosecution evidence which continued until 16 July 2010. The trial is scheduled to resume on 23 August 2010.

In the situation in the Central African Republic, there is one ongoing case, *The Prosecutor v. Jean-Pierre Bemba Gombo*, now also at the trial stage since 18 September 2009, when the Presidency referred the case to Trial Chamber III. The start of the trial was scheduled for 27 April 2010. On 25 February 2010, however, the defence submitted a challenge to the admissibility of the case, which led to subsequent postponements of the date of commencement of the trial. On 24 June 2010, Trial Chamber III confirmed that the case was admissible. The decision was appealed by the defence. The new date of commencement of the trial is to be set on 30 August.

In respect of the situation in Darfur, there are four ongoing cases, all at the pretrial stage. In *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman* the pending arrest warrants have not been executed. Pre-Trial Chamber I took a decision on 25 May 2010 to inform the members of the United Nations Security Council of the lack of cooperation by the Sudan and transmitted its decision to the Council, through the Secretary-General, in order for the Council to take any action it might deem appropriate (see S/2010/265).

In *The Prosecutor v. Omar Hassan Ahmad Al-Bashir* the prosecution's appeal against the decision of Pre-Trial Chamber I rejecting the additional counts of genocide to the warrant of arrest delivered on 4 March 2009 was successful, and on 3 February 2010 the Appeals Chamber reversed the decision and remanded the matter to the Pre-Trial Chamber to determine anew on the issue. On 12 July 2010, Pre-Trial Chamber I issued a second warrant of arrest with respect to three counts of genocide. Both arrest warrants remain outstanding.

In accordance with Security Council resolution 1593 (2005), the Prosecutor presented his tenth and eleventh reports on the status of the investigation into the situation in Darfur to the Security Council on 4 December 2009 and 11 June 2010 respectively, highlighting the lack of cooperation by the Government of the Sudan, the continuation of the alleged crimes on the ground and the need to execute the outstanding arrest warrants.

In *The Prosecutor v. Bahr Idriss Abu Garda*, Mr. Abu Garda appeared voluntarily on the basis of a summons to appear delivered by Pre-Trial Chamber I on 7 May 2009. The hearing took place from 19 to 30 October 2009 before Pre-Trial Chamber I. On 8 February 2010, Pre-Trial Chamber I declined to confirm the charges against Mr. Abu Garda due to insufficient evidence.

In *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*, Pre-Trial Chamber I issued a summons to appear under seal on 27 August 2009. The Prosecution alleges that both men participated as co-perpetrators or indirect co-perpetrators to the attack on the Haskanita military group site on 29 September 2007. The summonses to appear were unsealed on 15 June 2010, and on 17 June 2010 Mr. Banda and Mr. Jerbo appeared voluntarily before Pre-Trial Chamber I for an initial appearance. They remain free pending the hearing on the confirmation of charges, which is scheduled to start on 22 November 2010.

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I. Introduction

1. The present report, covering the period 1 August 2009 to 31 July 2010, is the sixth annual report of the International Criminal Court submitted to the United Nations in accordance with article 6 of the Relationship Agreement between the United Nations and the International Criminal Court.[1] It covers the main developments in the activities of the Court and other developments of relevance to the relationship between the Court and the United Nations since the fifth report of the Court to the United Nations (A/64/356).

2. The Court was created by an international treaty, the Rome Statute of the International Criminal Court,[2] which was adopted on 17 July 1998 and entered into force on 1 July 2002. During the reporting period, Bangladesh deposited its instrument of ratification, becoming the 111th State to ratify or accede to the Rome Statute. These include 30 African States, 15 Asian States, 17 Eastern European States, 24 States from Latin America and the Caribbean and 25 Western European and other States.

3. The Court is an independent judicial institution, charged with carrying out investigations into and trials of individuals allegedly responsible for the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes. The Rome Statute requires that proceedings before the Court are carried out fairly and impartially, with full respect for the rights of the accused. An innovative aspect of the Rome Statute in comparison with previously established international criminal courts or tribunals is that victims may participate in proceedings, even if not called as witnesses.

4. In carrying out its functions, the Court relies on the cooperation of States, international organizations and civil society in accordance with the Rome Statute and international agreements concluded by the Court. Areas where the Court requires cooperation from States include analysis, investigations, the arrest and surrender of accused persons, asset tracking and freezing, victim and witness protection, provisional release, the enforcement of sentences and the execution of the Court's decisions and orders.

5. The Court is independent from, but has close historical, legal and operational ties to, the United Nations. The relationship between the Court and the United Nations is governed by the relevant provisions of the Rome Statute and by the Relationship Agreement and other subsidiary agreements.

II. Review Conference of the Rome Statute

6. The Review Conference of the Rome Statute was held from 31 May to 11 June 2010 in Kampala. Pursuant to article 123, paragraph 1, of the Rome Statute, the Secretary-General of the United Nations, Ban Ki-moon, in his capacity as depositary of the Rome Statute, convened and opened the Conference.

7. The Review Conference adopted the Kampala Declaration (declaration RC/Decl.1) in which States parties reaffirmed their commitment to the Rome Statute

[1] United Nations, *Treaty Series*, vol. 2283, No. 1272.

[2] Ibid., vol. 2187, No. 38544.

and its full implementation, as well as its universality and integrity. States parties decided to celebrate 17 July, the day of the adoption of the Rome Statute in 1998, as the Day of International Criminal Justice.

Pledges

8. The Conference held a pledging ceremony in which 112 pledges from 37 States, including States not parties to the Rome Statute, and regional organizations, were made. These pledges covered, inter alia, financial contributions, support for arrests, agreements to enforce sentences, agreements on privileges and immunities, relocation of witnesses, cooperation with the Court and between States in various forms, complementarity, outreach and the designation of focal points.

Stocktaking of international criminal justice

9. The Conference undertook a stocktaking of international criminal justice, and separate panels of experts and practitioners considered the following topics: the impact of the Rome Statute system on victims and affected communities; peace and justice; complementarity and cooperation. The Conference adopted two resolutions,[3] a declaration on cooperation (declaration RC/Decl.2) and a summary of the discussions on peace and justice (document RC/ST/PJ/1/Rev.1), and took note of the summaries of other topics.[4]

10. A number of senior United Nations officials participated in the discussions to take stock of international criminal justice, including the Under-Secretary-General for Legal Affairs, the Legal Counsel; the United Nations High Commissioner for Human Rights; the Prosecutor of the International Tribunal for the Former Yugoslavia; the Special Representative of the Secretary-General for Children and Armed Conflict; the Registrar of the United Nations International Criminal Tribunal for Rwanda; and the Director of the Democratic Governance Group, Bureau for Development Policy, United Nations Development Programme.

Review of the Rome Statute: crime of aggression

11. The Conference amended the Rome Statute to include a definition of the crime of aggression and the conditions under which the Court could exercise jurisdiction with respect to that crime (see resolution RC/Res.6). The exercise of jurisdiction is subject to a decision to be taken after 1 January 2017 by the same majority of States parties as required for the adoption of an amendment to the Statute.

12. The definition of the crime of aggression adopted by the Conference is based on General Assembly resolution 3314 (XXIX). The Conference agreed to qualify as aggression a crime committed by a political or military leader which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations.

13. As regards the Court's exercise of jurisdiction, the Conference agreed that a situation in which an act of aggression appeared to have occurred could be referred to the Court by the Security Council, acting under Chapter VII of the Charter of the

[3] Resolution RC/Res.1, on complementarity, and resolution RC/Res.2, on the impact of the Rome Statute system on victims and affected communities.

[4] The summaries may be accessed at www.icc-cpi.int.

United Nations, irrespective of whether it involved States parties or States not parties to the Rome Statute.

14. While acknowledging the role of the Security Council in determining the existence of an act of aggression, the Conference agreed to authorize the Prosecutor, in the absence of such a determination, to initiate an investigation *proprio motu* or upon a request from a State party. Such investigation could proceed only with the prior authorization of the Pre-Trial Division of the Court. Furthermore, the Court would not have jurisdiction over a crime of aggression committed on the territory of States not parties to the Statute or by their nationals or with regard to States parties that had declared that they did not accept the Court's jurisdiction over the crime of aggression.

Review of the Rome Statute: article 8

15. By resolution RC/Res.5, adopted on 10 June 2010, the Conference amended article 8, paragraph 2 (e), of the Statute to include within the jurisdiction of the Court the following war crimes when committed in armed conflicts not of an international character: employing certain poisonous and expanding bullets; employing asphyxiating or poisonous gases, and all analogous liquids, materials and devices; and employing bullets that flatten easily in the human body. These crimes are reflected in new subparagraphs (xiii), (xiv) and (xv), respectively. By the same resolution, the Conference adopted the corresponding elements of crimes.

Review of the Rome Statute: article 124

16. By resolution RC/Res.4 of 10 June 2010, the Conference decided to retain article 124 of the Statute in its current form and agreed to further review its provisions during the fourteenth session of the Assembly of States Parties, to be held in 2015. This article grants to new States parties the possibility to opt out of the jurisdiction of the Court in respect of war crimes allegedly committed by its nationals or on its territory for a period of seven years after entry into force of the Statute for the State concerned.

Enforcement of sentences

17. In its resolution on strengthening the enforcement of sentences (resolution RC/Res.3), the Conference called upon States to indicate to the Court their willingness to accept sentenced persons in their prison facilities and confirmed that a sentence of imprisonment could be served in prison facilities made available though an international or regional organization, mechanism or agency.

III. Judicial proceedings

18. During the reporting period, the Court continued to be seized of the four situations already opened over the preceding period. The situation in Uganda was referred to the Court by that State party on 29 January 2004. The situation in the Democratic Republic of the Congo was referred to the Court by that State party on 19 April 2004. The situation in the Central African Republic was referred to the Court by that State party on 7 January 2005. The situation in Darfur, the Sudan, was referred to the Court by the United Nations Security Council by its resolution 1593 (2005). In all instances, the Prosecutor assessed that there was a reasonable basis to

open an investigation into the situations, based on article 53 statutory criteria. In addition, on 31 March 2010, following a request by the Prosecutor acting under article 15 of the Statute, Pre-Trial Chamber II authorized the Prosecutor to initiate an investigation into a fifth situation, namely Kenya.

19. Investigations into alleged crimes committed in Kenya remain ongoing, and the Prosecutor has not yet issued an application to the Pre-Trial Chamber in respect of any case. In all other situations, the Prosecutor evaluated the available information and decided to open cases. Judicial proceedings have taken place in relation to each of these investigations, resulting in 9 cases involving 16 individuals alleged to have committed crimes within the jurisdiction of the Court. Out of these 16 individuals, one was officially declared dead and the proceedings against him were terminated on 11 July 2007, thus reducing the total number of individuals subject to proceedings before the Court to 15. Details concerning the cases in which there have been judicial developments during the reporting period are given below.

A. *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen* (situation in Uganda)

20. Warrants of arrest have been outstanding for four alleged members of the Lord's Resistance Army (LRA) relating to the situation in Uganda since July 2005.

21. Joseph Kony, alleged Commander-in-Chief of LRA, is charged with 33 counts, which include 12 counts of crimes against humanity (murder, enslavement, sexual enslavement, rape and inhumane acts) and 21 counts of war crimes (murder, cruel treatment, intentionally directing attacks against a civilian population, pillaging, rape and forced enlistment of children). Vincent Otti, alleged Vice-Chair and Second-in-Command of LRA, is charged with 32 counts, which include 11 counts of crimes against humanity (murder, sexual enslavement and inhumane acts) and 21 counts of war crimes (murder, cruel treatment, intentionally directing attacks against a civilian population, pillaging, rape and forced enlistment of children). Okot Odhiambo, alleged Deputy Army Commander and Brigade Commander of LRA is charged with 10 counts, including 2 counts of crimes against humanity (murder and enslavement) and 8 counts of war crimes (murder, intentionally directing attacks against a civilian population, pillaging and forced enlistment of children). Dominic Ongwen, alleged Brigade Commander of LRA, is charged with 7 counts, including 3 counts of crimes against humanity (murder, enslavement and inhumane acts) and 4 counts of war crimes (murder, intentionally directing attacks against a civilian population, pillaging and forced enlistment of children).

22. On 16 September 2009, the Appeals Chamber upheld the decision rendered by Pre-Trial Chamber II on 10 March 2009, which had ruled that the case against the four accused was admissible before the Court.

23. None of the four accused has been arrested to date. A total of 41 victims have been admitted to participate through their legal representatives in the proceedings in the case.

B. *The Prosecutor v. Thomas Lubanga Dyilo* (situation in the Democratic Republic of the Congo)

24. The Trial of Thomas Lubanga Dyilo started on 26 January 2009 before Trial Chamber I, composed of Judges Sir Adrian Fulford (Presiding), Elizabeth Odio Benito and René Blattmann. Mr. Lubanga is alleged to be the leader of the Union des patriotes congolais and Commander-in-Chief of its military wing, the Forces patriotiques pour la libération du Congo. He is charged with having committed war crimes in the Democratic Republic of the Congo, specifically enlisting, conscripting and using children under the age of 15 years to participate actively in hostilities. A total of 103 victims are participating, through their legal representatives, in the Lubanga case.

25. The prosecution case was presented from 26 January to 14 July 2009. On 14 July 2009, Trial Chamber I issued a decision giving notice to the parties that the legal characterization of facts might be subject to changes in accordance with regulation 55, paragraph 2, of the Regulations of the Court, in particular by including new crimes under articles 7 (Crimes against humanity) and 8 (War crimes) of the Rome Statute. Both the defence and the prosecution appealed that decision. On 8 December 2009, the Appeals Chamber reversed the decision of the Trial Chamber, determining that the Chamber had erred in its interpretation of regulation 55 of the Regulations of the Court, finding, inter alia, that it is the prosecution that is tasked with the investigation of crimes under the jurisdiction of the Court and to proffer charges against suspects.

26. The defence started the presentation of its evidence on 7 January 2010. From January to July 2010, the defence tendered 133 items of evidence and called 19 witnesses to testify over a total of 68 trial days.

27. On 8 July 2010, Trial Chamber I ordered a stay of the proceedings as a consequence of the prosecution's material non-compliance with the Chamber's orders. An appeal of that decision by the prosecution is pending. On 15 July 2010, Trial Chamber I ordered the unrestricted and unconditional release of Thomas Lubanga Dyilo, subject to the appeal and an order of suspensive effect by the Appeals Chamber. On 23 July, the Appeals Chamber granted suspensive effect and the prosecution appealed the decision on release.

C. *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* (situation in the Democratic Republic of the Congo)

28. Germain Katanga and Mathieu Ngudjolo Chui are two former leaders of armed groups active in the Ituri region of the Democratic Republic of the Congo: Mr. Katanga allegedly commanded the Forces de résistance patriotiques en Ituri and had been appointed Brigadier General of the Forces armée de la République démocratique du Congo (FARDC); Mr. Ngudjolo Chui was allegedly the former leader of the Front des nationalistes et intégrationnistes and a Colonel in FARDC. They are both charged with seven counts of war crimes (wilful killing, using children to participate actively in hostilities, sexual slavery, rape, attacking civilians, pillaging and destroying the enemy's property) and three charges of crimes against humanity (murder, sexual slavery and rape). These crimes were allegedly committed in connection with the attack on the village of Bogoro on 24 February 2003.

29. The trial of Mr. Katanga and Mr. Ngudjolo Chui started on 24 November 2009 before Trial Chamber II, composed of Judges Bruno Cotte (Presiding), Fatoumata Dembele Diarra and Christine van den Wyngaert. Over 88 trial days, the prosecution tendered 105 items of evidence and called 14 witnesses plus 1 expert witness to testify. The presentation of the prosecution case continued until 16 July 2010, and is scheduled to resume on 23 August 2010. A total of 362 victims are participating in the case through their legal representatives.

D. *The Prosecutor v. Jean-Pierre Bemba Gombo* (situation in the Central African Republic)

30. Jean-Pierre Bemba Gombo is being prosecuted in his alleged capacity of former President and Commander-in-Chief of the Mouvement de libération du Congo for crimes allegedly committed in various locations of the Central African Republic in connection with the non-international armed conflict that took place from 26 October 2002 to 15 March 2003. Charges against Mr. Bemba were confirmed by Pre-Trial Chamber III on 15 June 2009. He is charged with three counts of war crimes (murder, rape and pillage) and two counts of crimes against humanity (murder and rape) in his capacity as a military commander under article 28 of the Rome Statute (Responsibility of commanders and other superiors).

31. On 14 August 2009, the single judge of Pre-Trial Chamber III considered that, based on new circumstances, the conditions for continuous detention of Mr. Bemba were no longer met and ordered his interim release. The implementation of that decision was deferred pending a determination on the necessary arrangements, in particular the State to which he was to be released. Seven States were invited to provide observations on the possible release of Mr. Bemba on their territory. On 2 December 2009, the Appeals Chamber found that the single judge had erred by considering that new circumstances had led to a modification of the ruling on detention and reversed the decision granting interim release.

32. On 18 September 2009, the Presidency referred the case to Trial Chamber III composed of Judge Sir Adrian Fulford (Presiding), Judge Elizabeth Odio Benito and Judge Joyce Aluoch.

33. On 24 September 2009, the Registrar rejected a second application for the payment of legal aid to Mr. Bemba. In his application, Mr. Bemba alleged that in spite of his wealth, he was not in a position to pay the fees because his properties and assets had been frozen or seized by the Court. Trial Chamber III was seized of this issue and on 19 November 2009, issued a decision ordering the Registrar to advance funding in a sum equivalent to the amount of legal aid payable by the Court retrospectively to March 2009 and ongoing until a material change in the circumstances. The Registrar was also requested to search for, freeze and realize Mr. Bemba's assets so as to fund the advance on his legal fees. The trial was then scheduled to start on 27 April 2010.

34. On 25 February 2010, the defence submitted a challenge to the admissibility of the case on the grounds of respecting complementarity between the work of the Court and judicial proceedings in the Central African Republic, an alleged lack of the requisite level of gravity of the case and an alleged abuse of process. This motion motivated subsequent postponements of the date of commencement of the trial. On 24 June 2010, Trial Chamber III rejected the defence motion in totality.

The defence immediately appealed. The issue is currently pending before the Appeals Chamber. On 7 July 2010, Trial Chamber III postponed sine die the commencement of the trial until the resolution of the challenge to the admissibility of the case by the Appeals Chamber. A status conference is scheduled to be held on 30 August 2010 to hear submissions on re-scheduling the date for the commencement of the trial.

35. On 21 July 2010, the composition of Trial Chamber III was amended. The Chamber is now composed of Judge Sylvia Steiner (Presiding), Judge Joyce Aluoch and Judge Kuniko Ozaki. To date, 135 victims have been admitted to participate in the trial proceedings through their legal representatives.

E. *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman* (situation in Darfur, the Sudan)

36. Warrants of arrest against Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman (hereinafter "Ali Kushayb") were issued on 27 April 2007 by Pre-Trial Chamber I for 20 counts of crimes against humanity and 22 counts of war crimes. Mr. Ahmad Harun is alleged to have served as Minister of State for the Interior of the Government of the Sudan at the relevant time, whereas Mr. Ali Kushayb is alleged to have served as a leader of the Militia/Janjaweed. The counts relate to several attacks on the towns of Kodoom, Bindisi, Mukjar and Arawala over a period of time lasting, at least, between 2003 and 2004.

37. On 19 April 2010, the prosecution filed a request with the Pre-Trial Chamber to make a finding under article 87 of the Statute that the Government of the Sudan had failed to cooperate with the International Criminal Court according to Security Council resolution 1593 (2005) in the execution of arrest warrants against Mr. Ahmed Harun and Mr. Ali Kushayb. On 25 May 2010, Pre-Trial Chamber I, composed of Judges Sylvia Steiner (Presiding), Sanji Mmasenono Monageng and Cuno Tarfusser, issued a decision to inform the members of the Security Council about the lack of cooperation by the Sudan. The Pre-Trial Chamber transmitted its decision to the Council, through the Secretary-General, in order for the Council to take any action it might deem appropriate (see S/2010/265).

38. To date, both Mr. Ahmad Harun and Mr. Ali Kushayb remain at large. Six victims have been authorized to participate in pretrial proceedings in the case.

F. *The Prosecutor v. Omar Hassan Ahmad Al-Bashir* (situation in Darfur, the Sudan)

39. A first warrant of arrest against Omar Hassan Ahmad Al-Bashir, current President of the Sudan, was delivered on 4 March 2009 by Pre-Trial Chamber I, comprising Judges Akua Kuenyehia, Sylvia Steiner and Anita Ušacka, for five counts of crimes against humanity (murder, extermination, forcible transfer, torture and rape) and two counts of war crimes (attacking civilians and pillaging). The prosecution appealed a decision rejecting the additional counts of genocide.

40. On 3 February 2010, the Appeals Chamber decided that the Pre-Trial Chamber had applied an erroneous standard of proof in deciding not to issue an arrest warrant in respect of the crime of genocide. This aspect of the decision was reversed and the

Appeals Chamber directed the Pre-Trial Chamber to decide anew, using the correct standard of proof, on whether to issue an arrest warrant in respect of genocide.

41. On 12 July 2010, Pre-Trial Chamber I, composed of Judge Sylvia Steiner (Presiding), Judge Sanji Mmasenono Monageng and Judge Cuno Tarfusser, issued a second warrant of arrest with respect to three counts of genocide. The latter warrant of arrest does not replace or revoke the previous warrant of arrest issued on 4 March 2009, which also remains in effect. Like the first warrant of arrest, the second warrant of arrest was notified to all States parties to the Rome Statute, to the authorities of the Sudan and to all Security Council members that are not parties to the Rome Statute.

42. To date, Mr. Al-Bashir remains at large. A total of 12 victims have been admitted to participate through their legal representative in the proceedings in this case.

G. *The Prosecutor v. Bahr Idriss Abu Garda* (situation in Darfur, the Sudan)

43. Bahr Idriss Abu Garda is the Chairman and General Coordinator of Military Operations of the United Resistance Front. He was charged with three counts of war crimes in connection with an attack perpetrated on 29 September 2007 by the Justice and Equality Movement (JEM), which he allegedly commanded, against the personnel, installations, material, units and vehicles of the African Union peacekeeping mission stationed at the Haskanita military group site.

44. Mr. Abu Garda appeared voluntarily on the basis of a summons to appear delivered by Pre-Trial Chamber I on 7 May 2009. The hearing took place from 19 to 30 October 2009 before Pre-Trial Chamber I composed of Judge Sylvia Steiner (Presiding), Judge Sanji Mmasenono Monageng and Judge Cuno Tarfusser. A total of 87 victims were authorized to participate through their legal representatives in the proceedings of confirmation of charges. Witnesses were heard, including an expert military witness and a victim from among the injured peacekeepers. Four legal representatives represented victims from Nigeria, Mali and Senegal.

45. On 8 February 2010, Pre-Trial Chamber I declined to confirm the charges against Mr. Abu Garda on the ground that the prosecution's allegation that he participated in the attack on the Haskanita military group site was not supported by sufficient evidence. On 23 April 2010, Pre-Trial Chamber I rejected the prosecution's application for leave to appeal the decision rejecting the confirmation of charges. The prosecution stated that it would submit additional evidence.

H. *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus* (situation in Darfur, the Sudan)

46. On 27 August 2009, Pre-Trial Chamber I issued an under-seal summons to appear against two alleged rebel leaders in the situation in Darfur, the Sudan: Mr. Abdallah Banda Abakaer Nourain, who is the Commander-in-Chief of JEM and Mr. Mohammed Jerbo Jamus, who is the former Chief-of-Staff of the Sudan Liberation Army-Unity. The prosecution alleges that they both participated as co-perpetrators or indirect co-perpetrators to the attack on the Haskanita military

group site on 29 September 2007 (see above, *The Prosecutor v. Bahr Idriss Abu Garda*). They are charged with three charges of war crimes in connection with this attack.

47. The summonses to appear were unsealed on 15 June 2010. On 17 June 2010, Mr. Banda and Mr. Jerbo both appeared voluntarily before Pre-Trial Chamber I composed of Judge Sylvia Steiner (Presiding), Judge Sanji Mmasenono Monageng and Judge Cuno Tarfusser for an initial appearance.

48. The hearing on the confirmation of charges is scheduled to start on 22 November 2010. They remain at liberty pending that hearing.

I. Outstanding warrants of arrest

49. At the time of submission of the present report, nine warrants of arrest were outstanding:

(a) In the situation in Uganda: Mr. Joseph Kony, Mr. Vincent Otti, Mr. Okot Odhiambo and Mr. Dominic Ongwen. These warrants of arrest have been outstanding since 2005;

(b) In the situation in the Democratic Republic of the Congo: Mr. Bosco Ntaganda. This warrant of arrest has been outstanding since 2006;

(c) In the situation in Darfur, the Sudan: Mr. Omar Al-Bashir (two), Mr. Ahmad Harun and Mr. Ali Kushayb. These warrants of arrest have been outstanding since 2007 in the cases of Mr. Harun and Mr. Ali Kushayb, and since March 2009 and July 2010 in the case of Mr. Al-Bashir.

50. The Court has issued requests for cooperation in the arrest and surrender of each of these individuals and notified these to the relevant States. States parties and other States that have legal obligations to cooperate with the Court are required to comply with these requests. In the situation of Darfur, the Sudan, the Government of the Sudan and all other parties to the conflict are obliged to cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to Security Council resolution 1593 (2005).

IV. Investigations and analysis

A. Investigations

1. Situation in the Democratic Republic of the Congo

The Prosecutor v. Thomas Lubanga Dyilo and The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui

51. During the period 1 August 2009 to 30 June 2010, the prosecution conducted 22 missions to 6 countries mainly for the support of trials, to address the arguments raised by the defence in *The Prosecutor v. Thomas Lubanga Dyilo* and in *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui*.

The case of the Kivu provinces

52. During the period 1 August 2009 to 30 June 2010, the Office of the Prosecutor conducted 42 missions to 11 countries for its third investigation in the Democratic Republic of the Congo, focusing on the Kivu provinces. The Office is working on all the groups active in the region, including the Forces démocratiques de libération du Rwanda (FDLR), the Congres national pour la défense du peuple, the regular forces (FARDC) and local defence forces such as the Mai-Mai.

53. As part of its policy of positive complementarity, through which it actively encourages genuine national proceedings, the Office is aiming at a coordinated approach whereby national judicial authorities in the region and beyond, as appropriate, will take over cases in order to ensure that all perpetrators are prosecuted. Given the particular characteristics of the alleged attacks, the Office considered ways to facilitate investigations by the Democratic Republic of the Congo judiciary and contributions to *dossiers d'instruction* against perpetrators. This will require enhanced protection for witnesses and the judiciary. On 17 November 2009, Ignace Murwanashyaka, an FDLR leader, was arrested by police authorities in Germany for allegedly belonging to a terrorist organization and for having committed crimes against humanity in eastern Democratic Republic of the Congo. The Office of the Prosecutor and Germany have been cooperating regarding the Kivus investigation for the past eight months.

54. Moreover, meetings were held with various State representatives, including high-level officials from States not parties to the Rome Statute assisting the Office of the Prosecutor, such as Rwanda.

2. Situation in Uganda

55. The Office of the Prosecutor continued to conduct investigative activities, including five missions to four countries, in relation to the situation in Uganda. The Office has collected a range of information on crimes allegedly being committed by LRA, led by Joseph Kony, operating increasingly freely across a wide area in the Democratic Republic of the Congo, the Sudan and the Central African Republic. According to this information, incidence of LRA crimes continued at a high rate throughout the year, with substantial numbers of killings and abductions. In the period December 2009 to April 2010, LRA is reported to have killed over 500 civilians and abducted over 400 in Niangara territory, Haut Uélé District of Orientale Province in the Democratic Republic of the Congo. For the first time, LRA mutilated civilians in the Democratic Republic of the Congo. The LRA also continued to attack civilians in southern Sudan Western Equatoria State, where, for the first time, in April 2010 LRA attacked a Congolese refugee camp near Ezo. In the Central African Republic, they predominantly perpetrated crimes in Mbomou Prefecture and to a lesser extent in Haut-Mbomou and Haute-Kotto Prefectures. The crimes have resulted in a high number of displaced civilians in the area, over 400,000 in total.

56. Besides LRA, the Office also continued to gather and analyse information in relation to alleged crimes committed by the Uganda People's Defence Forces and related national proceedings.

3. Situation in the Central African Republic

57. The Office of the Prosecutor continued its investigation into the situation in the Central African Republic and conducted 22 missions to 4 countries between 1 August 2009 and 30 June 2010, including for the purpose of assessing witnesses for trial. The Office continued to closely monitor allegations of crimes committed since the end of 2005 and whether any investigation and prosecution has been, or is being, conducted with respect to crimes potentially falling under the Court's jurisdiction. To that end, the Office met with various stakeholders, including with the Minister of Justice of the Central African Republic, Laurent Ngon Baba.

4. Situation in Darfur, the Sudan

58. Between 1 August 2009 and 30 June 2010, the Office of the Prosecutor conducted 25 missions to 11 countries (for the cases against Mr. Harun, Mr. Ali Kushayb and Mr. Al-Bashir, 6 missions to 2 States; for the case with regard to Haskanita, 19 missions to 10 States).

59. In accordance with Security Council resolution 1593 (2005), the Prosecutor presented his tenth and eleventh reports on the status of the investigation into the situation in Darfur to the Security Council on 4 December 2009 and 11 June 2010 respectively.

60. In his briefing to the Security Council on 4 December 2009, the Prosecutor highlighted the lack of cooperation by the Government of the Sudan and the continuation of the crimes on the ground.

61. In his briefing on 11 June 2010, the Prosecutor referred to the decision of Pre-Trial Chamber informing the Security Council about the lack of cooperation by the Sudan in the case against Mr. Harun and Mr. Ali Kushayb (see S/2010/265), which established that the Sudan was not complying with Security Council resolution 1593 (2005).

5. Situation in Kenya

62. On 26 November 2009, the Prosecutor requested authorization from Pre-Trial Chamber II to open an investigation into the situation in Kenya, noting that 1,220 persons had been killed, hundreds raped, with thousands more rapes unreported, 350,000 people had been forcibly displaced and 3,561 had been injured as part of a widespread and systematic attack against civilians. On 31 March 2010, Pre-Trial Chamber II authorized the Prosecutor to commence an investigation covering alleged crimes against humanity committed between 1 June 2005 and 26 November 2009.

63. The Office plans to present at least two cases against those most responsible for the post-election violence, including those who coordinated, financed or organized the crimes. The Office aims to finalize the bulk of the investigation during 2010.

64. During the reporting period, the Office conducted 27 missions to 11 countries with regard to the situation in Kenya. These included the first visit of the Prosecutor to Kenya since the beginning of the investigation, from 8 to 12 May 2010. During his visit the Prosecutor met with victims and other persons from all segments of Kenyan society, including President Kibaki and Prime Minister Odinga, who

reiterated their full support for the International Criminal Court and their responsibility for the security of Kenyan citizens.

B. Analysis of activities

65. The Office of the Prosecutor continued to proactively monitor all information on crimes potentially falling within the jurisdiction of the Court, analysing communications received from various sources. As at 30 June 2010, the Office had received a total of 8,792 communications relating to article 15 of the Rome Statute, 559 of which were received between 1 August 2009 and 30 June 2010.

66. During the reporting period, the Office of the Prosecutor continued its preliminary examinations in Afghanistan, Colombia, Côte d'Ivoire, Georgia and Palestine. On 14 October 2009, the Office made public its preliminary examination in Guinea. The Office continued its policy of making its monitoring activities public, subject to confidentiality requirements, when it believes it can contribute to preventing crimes and maximizing the impact of the Court's work.

1. Situation in Afghanistan

67. The Office continued to closely monitor the situation in Afghanistan. In accordance with normal practice, the Office considers all information, including open sources. It maintains close contact with experts, civil society organizations and public officials in the region. In addition, the Office attended and participated in various international academic conferences on Afghanistan. The Office has yet to receive an answer to its requests for information sent to the Government of Afghanistan in 2008.

2. Colombia

68. Upon ratification of the Rome Statute, Colombia made a declaration according to article 124 of the Rome Statute not accepting the Court's jurisdiction with respect to war crimes for seven years. That period came to a close on 1 November 2009. War crimes committed after that date can be investigated and prosecuted by the Office.

69. Colombia's national criminal justice system has made efforts in relation to those responsible for conduct proscribed by the Rome Statute falling into several broad categories.

70. The Office is monitoring and analysing information on investigations and proceedings being conducted in Colombia, focusing on those dealing with the leadership of paramilitary and guerrilla groups and the military who are allegedly responsible for conduct that may fall under the Court's jurisdiction. The Office is also analysing allegations of the existence of international support networks assisting armed groups committing crimes within Colombia that potentially fall within the jurisdiction of the Court. The Office is also monitoring the cases of "parapolitica".

71. Letters requesting information have been sent by the Office to various States. During the reporting period, the Office also met with Colombian stakeholders from the Government, judicial authorities and non-governmental organizations (NGOs), in both Colombia and The Hague.

3. Côte d'Ivoire

72. The Office continued to closely monitor the situation in Côte d'Ivoire.

73. In the context of its examination activities, the Prosecutor inter alia met with the Minister of Justice of Côte d'Ivoire, Mamadou Koné, who briefed the Prosecutor about recent developments in judicial activities in Côte d'Ivoire and reiterated the readiness of the authorities of Cote d'Ivoire to facilitate a visit by the Office of the Prosecutor to Côte d'Ivoire as soon as practicable.

74. The Office is also in contact with third States who may have jurisdiction over some of the alleged crimes committed in Côte d'Ivoire.

4. Georgia

75. During the reporting period, the Office conducted a mission to the Russian Federation in March 2010 and a mission to Georgia in June 2010. Both missions enjoyed the full cooperation of the respective national authorities. The Office had meetings with representatives from the Government and the judiciary and obtained information concerning ongoing investigations being carried out in both States.

76. In accordance with usual practice, the Office also maintains close contacts with NGOs, in which regard the Office participated in meetings and received relevant reports.

5. Guinea

77. The Prosecutor announced on 14 October 2009 that the situation in Guinea was under preliminary examination. The Office took note of serious allegations surrounding the events of 28 September 2009 in Conakry and received information relating to those events in accordance with article 15 of the Rome Statute.

78. During the reporting period, the Office held several meetings with the Minister for Foreign Affairs of Guinea as well as with the Minister of Justice of Guinea, who provided information on modalities put in place for conducting national investigations and prosecutions of those responsible for the alleged crimes, while underlining the importance of combating impunity, in close cooperation with the Office.

79. For the sake of transparency and predictability, the Office also informed States parties in the region.

80. In February and May 2010, the Office conducted missions to Guinea in the context of its preliminary examination activities, for site visits and meetings with Government officials, representatives from the judiciary and civil society, as well as victims and victims' associations.

6. Palestine

81. In connection with the declaration lodged by the Palestinian National Authority under article 12, paragraph 3, of the Rome Statute on 22 January 2009 accepting the jurisdiction of the Court, the Office continues to examine, first, whether the declaration accepting the exercise of jurisdiction by the Court meets statutory requirements, and second, whether crimes within the Court's jurisdiction have been committed. As the International Criminal Court is a court of last resort,

the Office also considers whether there are national proceedings in relation to alleged crimes, relating to the admissibility of the cases potentially arising from the situation.

82. The Office has received communications from various sources, as well as 15 legal submissions from experts, academics and NGOs on the issue of jurisdiction.

83. In October 2009, upon request of the Office, the Palestinian National Authority presented a preliminary report comprising legal arguments in support of the declaration. A further comprehensive report is expected to be submitted in due course. The Office also exchanged communications with the Embassy of Israel in the Netherlands, from which it inter alia received the Israeli Defense Forces report on Operation Cast Lead, including national efforts undertaken by Israel.

84. In January and July 2010, the Office provided information to the Office of the United Nations High Commissioner for Human Rights (OHCHR) pursuant to its request on steps taken by the Office of the Prosecutor with regard to the Palestinian declaration. In May 2010, the Office published a summary of submissions on whether the declaration lodged by the Palestinian National Authority meets statutory requirements, without having made any determination on the issue.

85. During the reporting period, the Prosecutor met with various stakeholders, including representatives from the Palestinian National Authority, the secretariat of the League of Arab States, the League of Arab States Independent Fact-finding Committee and a number of Palestinian and Israeli NGOs to discuss, inter alia, the jurisdiction of the International Criminal Court.

V. International cooperation

A. Cooperation with the United Nations

86. Cooperation with the United Nations is based on the Relationship Agreement. Such cooperation continues to be essential to the Court institutionally and in the different situations and cases. A number of United Nations departments and offices, as well as funds, programmes and specialized agencies, have been key partners for the Court. For instance, the Office of the United Nations High Commissioner for Refugees, OHCHR and the United Nations Office on Drugs and Crime have provided support with respect to the protection of witnesses and victims, including in their relocation.

87. The organization and running of the Review Conference was an instance of cooperation between the Court and the United Nations, through the United Nations Office at Nairobi. The Office provided services to the secretariat of the Assembly of States Parties, including conference logistics, conference coordination and services, interpretation for the duration of the meeting in the six official languages of the meeting, translation of in-session documents, coordination of documents reproduction and distribution, information technology infrastructure and security personnel. Such assistance and cooperation contributed to making the Conference a success.

88. In addition, pursuant to article 10 of the Relationship Agreement, the United Nations provided facilities and services for the resumption of the eighth session of the Assembly of States Parties to the Rome Statute, held at United Nations Headquarters from 22 to 25 March 2010.

89. In the area of security, the Court is a member of the United Nations security management system, and is invited to participate in the United Nations Inter-Agency Security Management Network meetings twice a year. This allows the Court to align its standards, regulations and operations with the United Nations and other member organizations in the field.

90. In respect of its operations in the countries of situation, the support and assistance received by the Court from the United Nations is of crucial importance and ranges from the provision of fuel for the Court's vehicles, to the use of United Nations air assets. Since the start of the Court's operations, it has made use of 960 flights operated by the United Nations in support of approximately 2,000 missions.

91. At its eighth session, the Assembly of States Parties established an Independent Oversight Mechanism (resolution ICC-ASP/8/Res.1) and requested the Registrar of the Court to enter into a memorandum of understanding with the Office of Internal Oversight Services of the United Nations Secretariat (OIOS) to provide support services on a cost recovery basis for the operationalization of the oversight mechanism. In addition, the Assembly requested the secondment of a staff member from OIOS. In pursuance of this mandate, the Court has finalized the secondment of a staff member from OIOS, who began her functions on 17 July 2010. The Court is currently finalizing the memorandum of understanding with OIOS.

92. The Court continues to have extensive contact with the Office of Legal Affairs, in particular with respect to the testimony of United Nations officials, the provision of information and the mainstreaming of the Court throughout the United Nations system. The Court also keeps itself apprised on institutional and judicial developments in respect of the cabinets of the Secretary-General and Deputy Secretary-General, the Department of Peacekeeping Operations, the Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs, the United Nations International Children's Fund, the Special Representative of the Secretary-General for Children and Armed Conflict and other relevant actors in the United Nations system.

93. The Court's Liaison Office to the United Nations in New York continued to facilitate and promote cooperation between the Court and the United Nations and its funds, programmes and agencies, as well as between the Court and Permanent and Observer Missions to the United Nations, through sustained contacts and information exchange between the Court, the United Nations and the Missions. The sustained contacts and information-sharing promoted a better understanding of the work and mandate of the Court, thus contributing to enhanced support for and cooperation with the Court.

94. The Head of the Liaison Office continued to participate, in an observer capacity, in relevant sessions of the Security Council and, pursuant to article 4 of the Relationship Agreement, in sessions of the General Assembly. The Liaison Office also facilitated visits and meetings of senior Court officials with their counterparts at the United Nations and frequently updated Court officials on relevant developments within the United Nations, and vice versa.

95. In addition to operational and logistical assistance, the public and diplomatic support of the United Nations continued to be important to the Court. Such support contributed to enhancing awareness of the importance of international cooperation and support from States and other actors.

96. Also, as indicated above, the Prosecutor briefed the Security Council on two occasions on the status of the investigation into the situation in Darfur. In his briefing on 4 December 2009, the Prosecutor inter alia asked for the full support of the Council to ensure that attention remained on the need to arrest persons who are the object of arrest warrants and on the need to end crimes in Darfur. In his briefing on 11 June 2010, referring to the Pre-Trial Chamber's decision informing the Security Council about the lack of cooperation by the Sudan in the case against Mr. Harun and Mr. Ali Kushayb, the Prosecutor expressed the hope that the decision of the judges would be acknowledged and followed up on by the Council before his next report in December 2010, urging Council members to ensure that the arrest of Mr. Harun and Mr. Ali Kushayb is a consistent request of the Organization at all times, through its representatives and envoys in the Sudan, as a critical condition for securing peace and stability in Darfur.

97. The Office of the Prosecutor wrote letters to the members of the Security Council on several occasions, including in relation to outstanding arrest warrants against LRA and against Mr. Bosco Ntaganda, with the goal of updating the members on the activities of the Office, as well as to galvanize support.

B. Cooperation with and assistance from States, other international organizations and civil society

98. The Court made numerous requests to States for cooperation or assistance pursuant to part IX of the Rome Statute. Pursuant to article 87 of the Statute, the content of such requests and related communications is often confidential in nature.

99. In addition to specific requests for cooperation and assistance made pursuant to parts IX and X of the Rome Statute, the Court continued to develop its bilateral exchanges and arrangements for cooperation with States, especially with respect to analysis and investigative activities, asset tracking and freezing, victim and witness protection, arrest operations, the enforcement of sentences and the provisional release of accused persons pending trial.

100. During the reporting period three further agreements on the enforcement of sentences were concluded, with Belgium, Denmark and Finland. This is welcome, as the possibility of sentences being handed down in 2010 and 2011 has increased the need for the Court to find a suitable detention place for sentenced persons. No agreement on provisional release has been entered into, leaving the Court unprepared for the eventuality that a suspect is granted provisional release and cannot, for security reasons, return to their State of nationality.

101. No new witness relocation agreements were entered into with States during the reporting period, although there are negotiations at an advanced stage with a number of States in respect of such agreements. In order to increase the options of the Court for relocating witnesses internationally, the Court opened a new special fund for witness relocation for States to donate funds to finance cost-neutral relocations to third States. The Court has already received a substantial donation to the special

fund. The Court is now approaching States parties to see whether they would agree to enter into a cost-neutral witness relocation agreement with the Court, financed by the special fund.

102. In addition, States parties may also support the establishment of witness protection capabilities in other States where capacity is lacking. This could be done either bilaterally or through multilateral institutions. A number of countries have already indicated their keen interest in this modality, the development of which would further the principle of complementarity that is central to the Rome Statute system.

103. In respect of regional organizations, efforts to finalize a memorandum of understanding between the African Union and the Court have continued. In order to encourage closer relations between the Court and the African Union, the Assembly of States Parties during its eighth session decided to establish a Liaison Office for the Court at the headquarters of the African Union in Addis Ababa (resolution ICC-ASP/8/Res.3, para. 28). On 29 July 2010, the Assembly of the African Union decided to reject for now the request by the Court to open a Liaison Office at the African Union.

104. Discussions are continuing regarding cooperation agreements with the Organization of American States, the League of Arab States and the Commonwealth Secretariat.

105. The Court met regularly with representatives of States, international organizations and civil society to update them on the work of the Court and to discuss items of mutual interest. The Court held two diplomatic briefings in The Hague to update the diplomatic community on the work of the Court. Two strategic-level meetings were held between the Court and representatives of civil society organizations in The Hague, in addition to regular, ongoing contacts between the Court and representatives of civil society.

VI. Institutional developments

A. Elections and appointments

106. An election by the Assembly of States Parties to fill the two judicial vacancies left by the departure of Judges Shahabuddeen and Saiga was held at the eighth session of the Assembly. Judge Silvia Fernandez de Gurmendi and Judge Kuniko Ozaki were elected to the Court by the Assembly, taking up office on 20 January 2010.

107. On 2 March 2010, the Office of the Prosecutor announced the appointment of Professor Tim McCormack as Special Adviser on International Humanitarian Law to the Prosecutor. On 19 June 2009 the Office announced the designation of Professor Jose Alvarez as the Office's Special Adviser on International Law. Both individuals are working ad honorem.

B. Assistance to the Special Court for Sierra Leone

108. From the start of the reporting period until 12 May 2010, the Court continued to provide courtroom services and facilities, detention services and facilities and other related assistance to the Special Court for Sierra Leone in its trial of Charles Taylor in The Hague. In view of the increased trial activity in the Court, however, it was agreed that from 13 May 2010, the Special Court for Sierra Leone would cease to use the courtroom facilities of the Court, and would instead use the facilities of the Special Tribunal for Lebanon. The Special Court for Sierra Leone also vacated three of the four offices it was occupying at the Court.

109. The Special Court for Sierra Leone requested the Court for continued use of the Court's information and communications technology facilities, a vault and a fully equipped office connected to the detention centre for the Taylor defence team, as well as the possibility of using courtroom facilities on an ad hoc basis when necessary. The Court has agreed to those requests, and proposed to extend the memorandum of understanding in respect of only those services that the Court will continue to provide to the Special Court for Sierra Leone, through an exchange of letters detailing such services.

VII. Conclusion

110. There were significant developments in the work of the Court during the reporting period, with the opening of a new situation, three ongoing trials, the dismissal of charges against a suspect, the voluntary appearance pursuant to a summons to appear of two suspects in the Darfur situation, and the issuance of a second warrant of arrest against President Al-Bashir of the Sudan in the same situation. Many challenges remain, but none is more pressing than the execution of the nine outstanding warrants of arrest.

111. In addition, during the reporting period, the system of international criminal justice set up by States in the Rome Statute was reviewed in a Review Conference convened by the United Nations Secretary-General, and amendments to the Statute were made, inter alia in respect of the crime of aggression.